

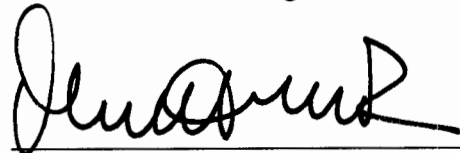
**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES MARTIN, Individually and on)	
Behalf of All Others Similarly Situated,)	
)	
Plaintiff,)	
)	2:15-cv-01522
v.)	
)	Judge Mark R. Hornak
GNC HOLDINGS, INC., JOSEPH M.)	
FORTUNATO, MICHAEL M. NUZZO,)	
ANDREW S. DREXLER, MICHAEL G.)	
ARCHBOLD, TRICIA K. TOLIVER, and)	
PATRICK K. FORTUNE,)	
)	
Defendants.)	

ORDER

AND NOW, this 8th day of September, 2017, for the reasons stated in the Opinion filed this day, IT IS ORDERED that Defendants' Motion to Dismiss (ECF No. 53) be, and the same hereby is, granted, and plaintiff's Amended Class Action Complaint (Document No. 45) is dismissed, without prejudice.

To the extent Plaintiff believes that amendment would not be futile, IT FURTHER IS ORDERED that Plaintiff shall file a motion for leave to amend within 30 days of this date. Said motion shall precisely specify what new allegations Plaintiff would include in a second amended complaint to cure the deficiencies discussed in the Court's Opinion and shall also include a copy of a proposed second amended complaint which clearly identifies the new allegations.



Mark R. Hornak
United States District Judge

cc: All counsel of record